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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/752,285	12/28/2000	Gerhard Siemens	00 P 9129 US	9155

7590 01/11/2005
Siemens Corporation
Intellectual Property Department
186 Wood Avenue South
Iselin, NJ 08830

EXAMINER

HAN, CLEMENCE S

ART UNIT PAPER NUMBER

2665

DATE MAILED: 01/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/752,285	SIEMENS ET AL.	
	Examiner	Art Unit	
	Clemence Han	2665	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 August 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. Responsive to amendment received on August 20, 2004, amended claim 1, 6, 7 and new claim 10-18 are entered as requested.

Claim Objections

2. Claim 13 is objected to because of the following informalities: The claim 13 is depending on the claim 2. The examiner understood it as a minor typographical error and the dependency of the claim 13 on the claim 12 is assumed for the following art rejection. Appropriate correction is required.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claim 4-8 and 13-17 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
5. Claim 4 and 13 recites the limitation "the single time slot" in the last line. There is insufficient antecedent basis for this limitation in the claim.
6. Claim 6 and 15 recites the limitation "the audio message" in line 2. There is insufficient antecedent basis for this limitation in the claim.

7. Claim 7 and 16 recites the limitation "the portable unit" in line 2. There is insufficient antecedent basis for this limitation in the claim.

8. Claim 7 and 16 recites the limitation "the base part" in the last line. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

9. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

10. Claim 1-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ciccone (US 6,128,504) in view of Park (US 6,463,129).

Regarding to claim 1 and 10, Ciccone teaches a call screening method suitable for a cordless telephone system having a base station operable in a broadcast mode and a standard mode communicatively coupled to a plurality of mobile units, comprising: setting the base station 10 in the broadcast mode (Column 16 Line 19-24); signaling that an incoming call by a caller has been received by the base station (Column 19 Line 14-20); determining if one of the plurality of mobile units 20, 30, 40, as a callee, desires to initiate a conversation with the caller based upon the incoming message (Column 16 Line 49-55); setting the base station to a standard mode when it is determined that one of the plurality of mobile units desires to converse with the caller (Column 19 Line 47-48); and

initiating the conversation only (Column 15 Line 62-64) between the callee and the caller (Column 19 Line 51-52). Ciccone, however, does not teach substantially simultaneously, recording an incoming message, and broadcasting the incoming message to a plurality of mobile units. Park teaches substantially simultaneously, recording an incoming message, and broadcasting the incoming message to a plurality of mobile units (Column 3 Line 6-10). It would have been obvious to one skilled in the art to modify Ciccone to substantially simultaneously, recording an incoming message, and broadcasting the incoming message to a plurality of mobile units as taught by Park in order to provide call screening (Column 2 Line 54-57).

Regarding to claim 2 and 11, Ciccone teaches broadcasting the incoming message from the base station 10 during a single time slot of a time division (Column 9 Line 60-64, Column 14 Line 29-31, Figure 7); receiving the incoming message at the plurality of mobile units 20, 30, 40; and converting the incoming message into sound by the plurality of mobile units (Column 6 Line 65 – Column 7 Line 2).

Regarding to claim 3 and 12, Ciccone teaches placing the plurality of mobile units in a receiving mode (Column 11 Line 2-19).

Regarding to claim 4 and 13, Ciccone teaches the placing the plurality of mobile units in a receiving mode comprises synchronizing the plurality of mobile units to the single time slot (Column 11 Line 2-19).

Regarding to claim 5 and 14, Ciccone teaches setting the base station to the broadcast mode comprises designating the single time slot (Column 11 Line 2-19).

Regarding to claim 6 and 15, Ciccone teaches at least one of the plurality of mobile units is a hands free unit 20, 30, 40, wherein converting the audio message into sound by the hands free unit is automatic (Column 6 Line 65 – Column 7 Line 2), and wherein the placing of the plurality of mobile units in a receiving mode places the plurality of mobile units in a receive only mode (Column 16 Line 19-22).

Regarding to claim 7 and 16, Ciccone teaches originating a broadcast signal by the portable unit associated with the callee; transmitting the broadcast signal that include the audio message from the portable unit associated with the callee to the base part (Column 22 Line 22—23).

Regarding to claim 8 and 17, Ciccone does not teach explicitly teaches placing the plurality of mobile units in a receive only mode, comprises turning on only speakers of the plurality of mobile units without turning on microphones of

the plurality of mobile units. However, as admitted by the applicant in the remark page 7 line 1-10, one skilled in the art would immediately envisage this limitation.

Regarding to claim 9 and 18, Ciccone teaches setting the base station to the standard mode comprises synchronizing those plurality of mobile units not desiring to converse with the caller to another time slot that is different than the single time slot (Column 19 Line 53-56).

Response to Arguments

11. Applicant's arguments with respect to claim 1-9 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

12. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the

advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The following patents are cited to further show the state of the art with respect to the invention in general.

U.S. Patent 6,148,213 to Bertocci et al.

U.S. Patent 6,775,558 to Ranta et al.

U.S. Patent 6,104,923 to Kite

U.S. Patent 6,766,175 to Uchiyama

U.S. Patent 6,690,771 to Siemens et al.

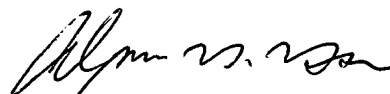
U.S. Pub. 2002/0068561 to Siemens

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Clemence Han whose telephone number is (571) 272-3158. The examiner can normally be reached on Monday-Thursday 7 - 5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy Vu can be reached on (571) 272-3155. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

C. H.
Clemence Han
Examiner
Art Unit 2665



ALPUS H. HSU
PRIMARY EXAMINER